

Criminal Calendar: Sentencing

Before: Judge John Gleeson, U.S.D.J.

Date: 4/16/13
DOCKET NUMBER: 11CR 821Time: 2:00pm - 3:00pmDEFENDANT'S NAME: Isidro Diaz (Deft. #2)
☒ Present ☐ Not Present ☒ In Custody ☐ BailDEFENSE COUNSEL: Joyce London
☐ Legal Aid ☒ CJA ☐ RetainedAUSA: Brendan G. King Deputy Clerk: Ilene LeeProbation Officer: Roberta HoultonINTERPRETER: Rosa Olivera (Language) SpanishCOURT REPORTER: Lisa Schmid☒ Case Called.☒ Defendant is given the opportunity to speak on his/her behalf.☐ The Courts finds that there is a factual basis supporting the deft's guilty plea offered before Magistrate Judge _____ on _____. The guilty plea is accepted.☒ The Pre-sentence Report is adopted without change by the Court after arguments were heard regarding a minor role adjustment that was DENIED by the Court.☒ Defendant is sentenced to 48 months imprisonment and 3 years of supervised release.

Special conditions of Supervision are as follows:

- No firearms or ammunitions.
- If deported, the defendant may not reenter the U.S. illegally.

☐ Defendant is ordered to pay restitution in the amount of \$ _____.☐ Defendant is ordered to pay a fine in the amount of \$ _____.☒ Defendant is ordered to pay a special assessment of \$ 100~~00~~x (NO FINE).

Monetary penalties are due as follows:

☒ The Court recommends to the U.S. Bureau of Prisons that the deft be incarcerated at : FCI as close to New York City as possible☐ The deft is remanded to the custody of U.S.M.S.☐ The deft shall surrender to the U.S.M.S. for the Eastern District of N.Y. on _____ @ _____☐ The deft shall surrender for service of sentence at the institution designated by the Bureau of Prisons:☒ before 2:00pm on _____ ☐ as notified by USMS or ☐ as notified by P.O.☒ Open count(s) (All Open Counts) is/are dismissed on motion of the government.